

(travelersnet.com) [hereinafter "Travelers"] and U.S. Patent No. 4,862,357 to Ahlstrom et al. [hereinafter "Ahlstrom"] and claim 5 under the same as being unpatentable over the combination of Garback and Travelers in further view of U.S. Patent No. 5,757,289 to Nimura et al. [hereinafter "Nimura"].

Applicants respectfully submit that claims 1-10 are patentably distinguishable over the cited references as required by §103. Applicants further submit that the cited references fail to disclose "a frame-preparing means for preparing a basic frame of a schedule including types of intermediate and final locations, and a transfer order, based on said destination information and desired arrival time information" as recited in independent claim 1. Thus, these claims are allowable over the cited references. This distinction will be further described in the following sections.

#### **ALLOWABLE SUBJECT MATTER**

Applicants gratefully appreciate the Office Action's indication that claims 6-10 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. However, in view of the allowability of independent claim 1 as described below, Applicants respectfully decline to amend the dependent claims to place them into independent form at this time.

#### **THE CLAIM DISTINGUISH OVER THE CITED REFERENCES**

Claims 1, 2, 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Garback in view of Travelers and claim 5 under the same as being unpatentable over the combination of Garback and Travelers in further view of Nimura. The Examiner alleges that Garback discloses each of the claimed features except for "entering desired arrival time information and a transfer order based on the desired arrival time." It is alleged that Travelers or U.S. Patent No. 4,862,357 to Ahlstrom et al. (which was not cited in the rejection statement), discloses this feature of claim 1. The Examiner concludes that it would have been obvious to provide the feature of entering desired arrival time information and a transfer order based on the desired arrival time taught by Travelers or

Ahlstrom in the system of Garback to make easier and enhance the schedule for people who are traveling.

The present invention relates to a schedule setting and processing system. The system can prepare a travel plan in which the actual destination and route to be taken are specified given an estimated positional and temporal condition. Travel information is supplied through a terminal and transmitted to an information center. At the information center, a basic frame of travel is constructed using the supplied information. The basic frame includes types of intermediate and final locations and an order of transfer based on previously entered position and time requirements. According to one embodiment of the present invention, the basic frame is selected from a plurality of basic frames fitting the position and time requirements. Figure 10 clearly shows an example of a basic frame according to the present invention. The basic frame includes beginning, final and intermediate locations. After the basic frame has been prepared, an actual frame of travel is constructed by consulting a database. The actual frame of travel is displayed on the terminal's display to guide a user.

Garback discloses a computer travel planning system (10) for airline travel. The system includes a data base (12) containing a venue file having information regarding a specific venue, a group member file for each group member (20), a travel policy (16) having information on preselected vendors or various travel services, and a city code file (18) containing codes corresponding to a plurality of city airport locations. According to Garback, data is entered and information is displayed to an individual group member making a travel request via a terminal (22). A central processing unit is in communication with the data base and with a plurality of airline computerized reservation system (CRS)s.

In Garback, the travel policy file 16 includes information regarding the preselected vendors negotiated by the sponsoring organization. According to Garback, a representative from the sponsoring organization will negotiate with various airline carriers, hotels, and rental car companies for group travel discounts for a specific venue. Therefore, the vendors making the lowest bids on these services will be denominated preselected vendors and will be included in the travel policy file 16.

Terminal 22 includes both a keyboard and a display which allows a user to enter data. The display includes a format screen 71 with blanks to permit entry of various travel

data as shown in Figure 3. As shown in Figure 3, the group member initiates the travel request process by filling out screen 71. Screen 71 includes an employee identification code window 72, an individual venue or meeting code window 73, departure and destination city windows 74 and 77, return date and time windows 75, 76, 78, 79, a hotel request window 80, a car rental request window 81, special request windows 82 and 83, a ticket delivery date window 84 and a verification window 85. When the user confirms that the information entered is correct via window 85, the travel request is formatted in a delimited file and sent to the central system 10.

As admitted in the Office Action, Garback fails to disclose a frame-preparing means for preparing a basic frame of a schedule including types of intermediate and final locations, and a transfer order, based on said destination information and desired arrival time information as recited in independent claim 1. The Office Action relies upon Travelers to cure this deficiency.

Travelers discloses a travel planning system including departing and arriving city data fields. The system requires a user to enter the departure and arrival city for each leg of his/her itinerary. The user is also required to enter a departure data as well as a time range for each leg of the itinerary. After the user enters the required data, the system :

- (1) analyzes hundred of fares and available flights for the day(s) the user has selected and then provides the user with low cost itineraries from which to choose; and
- (2) allows the user to first select flight(s) that are nearest to the time requested and then obtain the lowest available fair for the user's selected itinerary.

Thus, the system disclosed by Traveler's teaches providing the user with the best price for the user's fixed flight itinerary based upon the day or time of departure.

Travelers fails to teach or suggest a frame-preparing means for preparing a basic frame of a schedule including types of intermediate and final locations, and a transfer order, based on said destination information and desired arrival time information as recited in independent claim 1.

Ahlstrom, although not mentioned in the rejection statement, discloses a computer reservation system with means to rank travel itineraries chosen in terms of schedule/fare data. Ahlstrom also fails to disclose the claimed feature of the basic frame for entering desired arrival time information and a transfer order based on the desired arrival time.

Thus, the cited references, taken either alone or in combination, fail to suggest a frame-preparing means for preparing a basic frame of a schedule including types of intermediate and final locations, and a transfer order, based on said destination information and desired arrival time information.

In view of the above comments, it is respectfully submitted that the present invention as defined by independent claim 1 is patentable over the cited references, taken alone or in combination. Since claim 1 is allowable, the claims dependent therefrom, namely claims 2-10, are also allowable for the reasons set forth above. Further remarks regarding the asserted relationship between the dependent claims and the cited references are not necessary, in view of their allowability. Applicants' silence as to the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

#### **CONCLUSION**

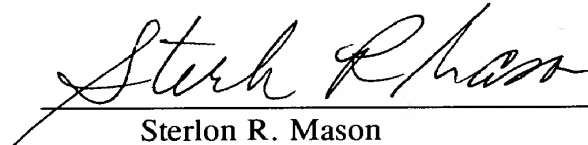
It is respectfully submitted that the foregoing amendments and remarks demonstrate that the application is in condition for allowance and prompt notification thereof is requested.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned to discuss any matter regarding this application.

Respectfully submitted,

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